

# Montgomery council members explain EMS transport fee vote

*by Kate S. Alexander, Staff Writer, The Gazette Published: Tuesday, May 15, 2012.*

Voters could get the chance this November to uphold or change their position on a countywide ambulance transportation fee.

The Montgomery County council voted 6-3 Tuesday to approve another bill creating a program for insurance reimbursement of ambulance rides.

The approval came 18 months after a majority of voters said in a November 2010 ballot initiative that they did not want any fee for emergency medical transport, overturning a county law.

What is different now are new costs from the state and the clarity of the bill, its proponents said.

Yet at its core, it is still a program to charge for the cost of transporting patients via ambulance and opponents say they are considering all options, including putting the issue back to the voters one more time.

“All options are being explored,” said Eric Bernard, executive director of the Montgomery County Volunteer Fire Rescue Association. “Everything from referendum to accepting what happens.”

Volunteer firefighters led the petition drive in 2010 against the bill.

County Executive Isiah Leggett (D) proposed the second bill in April, arguing that both recent and pending state actions had shaken the status quo enough to warrant revisiting the revenue stream he sought since his election.

He also proposed an operating spending plan that was \$199 million more than that of fiscal 2012.

The proposal’s most vocal opponent, Councilman Philip M. Andrews (D-Dist. 3) of Gaithersburg said it is wrong to conclude that voters made an erroneous decision in 2010 when a margin of 20,000 more voters said no to the fee.

“A much larger issue than ambulance fees, this is an issue of trust and respect for voters who for the first time in the history of this county repealed a county law,” he said.

Joining him in the minority, Council President Roger Berliner (D-Dist. 1) of Bethesda noted that the policy is one on which reasonable people can disagree.

However, the voters spoke definitively and likely were to repeat their resounding "no" if asked again this November, he said.

Also unswayed by arguments of material change, Councilman George Leventhal (D-At Large) of Takoma Park said he feels the public has lost confidence in the word of government and likely would vote the same way if another referendum reaches the ballot. As an alternative to the fee that also accomplishes additional revenue for fire and rescue service, he said he plans to propose later this year a charter amendment allowing the county to raise its fire tax above the charter limit.

For those in favor of the bill, what they viewed as good policy, adequately clarified language and even questions about the integrity with which the 2010 referendum campaign was conducted, swayed their vote.

Councilman Marc Elrich (D-At large) of Takoma Park said he knew of residents who were lied to and scared into voting against the bill nearly two years ago. Many were told that they would be on the hook for between \$300 and \$800 should they call 911 and be taken to the hospital.

"I think respect for voters begins with what you tell voters when you run a campaign," he said.

"I honestly believe the campaign was a blatant misrepresentation of the facts," Elrich said, adding that he too could get support for his side if he lied to voters.

Marcine Goodloe, president of the Montgomery County Volunteer Fire Rescue Association, disputed that volunteers had lied.

Fiscally, the bill taps a revenue stream that the majority of council members said they felt should be accessed: money from insurance companies for EMS transport.

Insured residents already are paying for the possibility that their insurer would be billed for emergency transportation, said Councilman Hans Riemer (D-At Large) of Silver Spring.

Implementing the program would allow Montgomery to collect an estimated \$14 million to \$17 million in annual revenue for the county Fire and Rescue Service without siphoning from residents' wallets.

"I am really compelled by my continued uncertainty of, budgetary uncertainty, of the county," Elrich said Friday at a committee meeting on the bill.

Amending the legislation, originally proposed as nearly identical to the 2010 bill, convinced Councilwoman Valerie Ervin (D-Dist. 5) of Silver Spring that her action Tuesday was fundamentally different than what her constituents overturned in 2010. Ervin voted against the ambulance fee bill in 2010, when it passed the council 5-4.

Councilman Craig Rice (D-Dist. 2) of Germantown spent time questioning his constituents about the bill and said he found that many believed they, not their insurance company, would be charged for the ambulance.

Unlike its 2010 predecessor, the bill adopted Tuesday more clearly states that county residents will not pay any out-of-pocket expenses related to their transport, including deductibles, copays or coinsurance. It also creates a patient advocate in the Office of Consumer Protection to walk people through the process and requires the county to hold a public outreach and education program.